

## **Punjab Land use Classification, Reclassification and Redevelopment Rules: A predicament or new approach to urban management?**

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**Abstract:** Disorganized and unsustainable patterns of land use change have seriously affected the spatial structure of cities in Punjab and Lahore is no exception to this phenomenon. Realizing the consequent problems of parking, traffic congestion and unfavourable environmental impacts, the Government of Punjab has recently enacted the new set of Rules to regulate commercialization and change of land use. This paper critically reviews the contents of the Punjab Land Use (Classification, Reclassification and Redevelopment) Rules 2009 applicable to Tehsil/Town Municipal Administrations (TMAs) and City District Governments (CDGs) since these Rules embody a system of classification of land uses for the first time in Pakistan. The study involves interviews with the architects of said Rules and a short survey of selected Town Planners working in TMAs and CDGs. The review shows that despite some of the shortcomings, these Rules provide a new approach to mapping and regulating the land use development and conversion activities in urban areas for the benefits of inhabitants. Moreover, the need to prepare Master Plans in future in the light of these Rules appears to be an attempt to introduce bottom-up approach to plan making, which also can contribute to facilitating not only their preparation but also enforcement on ground. However, results of brief survey of Town Planners show that effective implementation is likely to be constrained by lack of political will and inadequate technical and financial resources. The circumstances indicate for adoption of facilitative and motivational approach to implementation and enforcement of the said Rules.

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### **1. Introduction**

Cities are dynamic entities and continuously keep transforming to accommodate emerging needs of the citizens. Over the last few decades urbanization has increased at an alarming pace in many cities of Pakistan. This has caused quite a lot of problems in those cities due to uncontrolled expansion and transformation processes. The problems mainly include shortage of housing, burden on education and health facilities, change of land use from residential to commercial and resultant increase in traffic congestion, and environmental degradation (Hasan, 2005; Ahmad, 2005; Cheema and Salman, 2009). This has affirmed “pressure on urban planners and managers for better urban planning and management” (Qureshi et al., 2009, p.3).

Earlier policies pertaining to commercialization failed to regulate conversion of residential buildings into commercial uses appropriately (see Nadeem and Hameed, 2005 for a critical review of the policies and issues relating to commercialization in the context of Lahore). Realizing the gravity of the problem, the urgency to

manage swelling magnitude of urban land uses leading to traffic and environmental problems, and considering the directions of the Honourable Supreme Court of Pakistan, the Government of the Punjab province promulgated the three sets of land use conversion/classification rules in March 2008. These Rules were issued each for the Lahore Development Authority (LDA), for the remaining Development Authorities (DAs) of Punjab, and the City District Governments (CDGs) and Tehsil/Town Municipal Administrations (TMAs) in the Province in exercise of powers conferred by different laws of respective institution.

The 2008 Rules for LDA and DAs were restricted to regulating commercialization activity along major roads. Under these Rules both the LDA and other DAs of Punjab were required to prepare and notify a list of roads already declared commercial, and divide them into two broad categories: roads where more than 50% of the plots had already been commercialized (Category A) and roads where less than 50% were commercialized (Category B). Based on this classification, further commercialization was

to be allowed only on Category A roads. Similarly, the Rules required both the LDA and other DAs of Punjab to prepare and notify a list of plots where temporary commercialization had already been allowed, and divide them into two broad categories: plots where payment of temporary commercialisation fee has been deposited (Category C) and plots where payment was due but the same has not been deposited (Category D). Based on this categorization, the LDA and other DAs were to phase out temporary commercial use of Category C plots over the next ten years, recover the outstanding dues from Category D plots, and stop entertaining and permitting temporary commercialization of properties in future.

On the other hand, the 2008 Rules for CDGs and TMAs suggested a complete system of classification and reclassification of land uses, and preparation of redevelopment schemes in built up areas and peri-urban structure plan for expanding areas in cities/towns before going for comprehensive master planning of each city/town. Interim arrangements were also suggested to deal with the issue of commercialization/conversion of land uses (LG & CD/GoPb, 2008).

But one year later, a newer version of each of these Rules was promulgated during different times in the year 2009 as follows:

- § The Lahore Development Authority Land Use (Classification, Reclassification and Redevelopment) Rules 2009 under Section 44 of the Lahore Development Authority Act 1975 (XXX of 1975) on 10<sup>th</sup> February, 2009.
- § The Punjab Land Use (Classification, Reclassification and Redevelopment) Rules 2009 under Section 191 of the Punjab Local Government Ordinance 2001(XIII of 2001) on 1<sup>st</sup> July 2009.
- § The Punjab Development Authorities Land Use (Classification, Reclassification and Redevelopment) Rules 2009 under Section 43 of the Punjab Development of Cities Act 1976 (XIX of 1976) on 14 October 2009.

A few noticeable changes that have been made through 2009 Rules include:

- § Ensuring consistency in terms of provisions thus making all three sets of Rules no longer any different from each other.
- § Reduction in the time limits for preparing land use classification map, peri-urban structure plan and list of declared commercial roads and

buildings. This was despite the fact no CDG, TMA or DA in Punjab could prepare these plans or the requisite lists of roads for regular commercialization and lists of plots enjoying temporary commercialization status for even within one year, the time limit as specified in 2008 Rules.

- § Enhancement of conversion fee from 10% to 20% of commercial value of land as per valuation table or average sale price of preceding twelve months of commercial land in the vicinity of that area (if valuation table is not available) for conversion of a land use to commercial.
- § Permitting conversion of a land use to permanent educational or healthcare on payment of 10% conversion fee.
- § Change in criteria for assessment of betterment fee.
- § Reduction of time period to phase out temporary commercialization from 10 years to 3 years in addition to increase in temporary commercialization fee.

The recommendations of two committees constituted by the Government of Punjab one after another to review the commercialization policy adopted as a result of 2008 Rules paved the way for the 2009 Rules. The committees were constituted in the wake of the observation that allowing high-rise buildings and commercial activity in different areas in Lahore where physical infrastructure of roads, sewerage, water supply etc. was not adequate to deal with the increased demand was putting tremendous strain on civic infrastructure (LG & CD/GoP, 2008). This paper critically reviews the contents of the Punjab Land Use (Classification, Reclassification and Redevelopment) Rules 2009 applicable to CDGs and TMAs, identifies conceptual ambiguities, potential difficulties in implementing these Rules, and makes some suggestions to overcome those difficulties. It is interesting to review these Rules because these:

- § are a good new addition to the array of planning rules for specifically concentrating on pressing issues of commercialization and change of land use being faced by planners in respect of urban areas in the Province.
- § introduce a system of classification of land uses for the first time in Pakistan.
- § call for preparation of several types of land use maps (e.g. land use classification map, district planning map) and plans (e.g. peri-urban

structure plan, redevelopment plan) never considered simultaneously in other laws and rules pertaining to town planning.

- § suggest phasing-out of temporary commercialization within a period of three years.
- § introduce the concept of charging betterment fee from commercialized buildings.

For the purposes of review of 2009 Rules, interviews were conducted with couple of members of the team at Urban Unit (of Planning and Development Department, Government of the Punjab) which was assigned the task of drafting the above referred Rules. A short survey of Town Planners working in TMAs and CDGs was conducted since they have a key role to play in implementing these Rules. A brief questionnaire prepared on the subject matter was mailed to 37 Officers with the request to return the filled questionnaire either through email or in self-addressed envelopes supplied for this purpose preferably within a week. Later, the time period was extended up to five weeks but despite repeated telephonic requests, the response of only 12 Officers could be received. The low rate of response (32%) was presumably because of the reluctance of the officers to put across their comments as serving officer of the Government in writing and because of the fact that with the exception of a couple of TMAs, nothing concrete has been done to implement the new Rules by other TMAs.

The next section presents a critical analysis of the key provisions of the 2009 Rules. Views of Town Planners working in TMAs and CDGs on the potential constraints in implementation of these Rules are then highlighted. A discussion on the prospects and implications of these Rules is provided in the penultimate section. The final section presents concluding remarks in the context of the preceding discussion.

## 2. Critical Analysis of the Land Use Rules 2009

The Punjab Land Use (Classification, Reclassification and Redevelopment) Rules 2009 comprise of 85 Sections divided into ten chapters. Although purpose is not explicitly mentioned in these rules, one can derive it from the preface of a booklet of the Local Government and Community Development Department (LG&CD) of the Government of Punjab (GoPb), as follows:

“...to guide this [urban] transformation in the best public interests and to facilitate and ensure optimum utilization of urban land

through a comprehensive system of classification and reclassification of land use, enabling the cities to develop in a sustainable, harmonious and compact manner.” (LG&CD/GoPb, 2009).

Under these 2009 Rules, all the TMAs and CDGs have to classify the area within their jurisdiction into six land uses, namely residential, commercial (including institutional), industrial, per-urban, agricultural, and notified area. The residential, commercial and industrial areas have been further divided into four land use classes on the basis of plot size and abutting road width. The sub-classification of major land uses is expected to help establishing the basis for deciding, within a broad category of land use, the activities which should be allowed and the activities that may be permissible under special circumstances. It is worth mentioning that all other types of land use activities, which are neither listed in permitted nor in the permissible category, have been prohibited within the respective land use classes. However, a list of prohibited industrial uses in case of established built-up areas and industrial corridors has been provided.

These Rules also lay down detailed account of the procedures to be followed for preparation of land use classifications map, schemes for land use re-classification (preparation of which are optional but nevertheless subject to public consultation), and redevelopment plans for areas requiring improvement (preparation of which are conditional to notification of land use re-classification scheme). The Rules go on to describe the process of designating roads for legal commercial activity and phasing out the permission of temporary commercialization of buildings. A critical analysis of the subject land use Rules is presented in the following sub-sections.

### 2.1 Nuisance creating uses permitted within residential areas

Under these Rules, the residential area has been divided into two sub-classes i.e., approved schemes and established built-up area. Each of these is to be further divided into four categories with respect to plot size and right-of-way of roads. Within residential area, 8 types of uses are listed in permitted category and 8 have been listed as permissible uses. Of these 16 uses, only 4 pertain to various types of residential buildings/houses whereas the rest are all supporting uses like mosque, graveyard, park, dispensary etc. Ironically within the residential areas, the secondary schools and offices associated with

resident professionals are also allowed despite the fact that the government's committee (as referred above) declared such uses as cancer for the living environment and against international principles of good town planning. Such conversions are usually made under the umbrella of temporary commercialization in the residential streets of planned housing schemes despite the provision of sub-neighbourhood centres. Since these Rules suggest phasing out temporary commercialization within three years, permitting schools and offices in residential areas will be on permanent basis. This will continue to affect the serenity of residential areas.

## 2.2 Compartmentalization of business activities within commercial areas

The commercial area of every city is required to be sub-classified into 3 categories namely, commercial area of approved schemes, established built up area and commercial corridors. Each of this sub-commercial area is further divided into 4 categories. Within any commercial area, 21 types of business activities including residential apartments and government offices are permitted whereas 19 other types of businesses including educational institutions and private hospitals are listed in the permissible uses. It is worth mentioning that compartmentalization of various business activities has been proposed on the basis of compatibility and road width. For instance, private and government offices, financial institutions and the like are grouped under the permitted uses within commercial area of approved schemes (CA2) on 1 to 2 kanal plots but the road width ranges from 30ft to 180ft. It's fine, as long as the compatibility of business activities is considered, but the road width of 30ft and even 50ft may not prove sufficient to meet the parking demand in case of above referred uses.

## 2.3 Review of declared roads and temporary commercialization

The Rules suggest that the District Planning and Design Committee (DP&DC) shall prepare the lists of roads or segment of roads already declared as commercial under any other law. It will then review the same and eventually decide the suitability of placing any road in a notified category of land use i.e., Category A road (where future commercial use would be permissible) or Category B road (where future commercial use would not be allowed). The DP&DC can also identify any restrictions such as type of commercial use, building height, building line, plot size etc., to be imposed on any of the Category A

road. However it is not clear whether the criteria (see box 1) given in the Rules under Section 62(4) is for deciding the suitability of road as commercial or otherwise or the same criteria is meant for deciding the nature/type of commercial uses along the roads placed in Category A.

The Rules also require that a TMA/CDG should prepare a list of buildings which were granted permission for temporary commercialization under any other law and divide the buildings in to two categories viz list C (where the temporary commercialization fee has been paid), and list D (where the temporary commercialization fee was due).

### Box 1 Factors to be considered for deciding future use of listed roads

- potential for up-gradation of serving road
- potential for up-gradation of existing infrastructure
- traffic impact assessment
- trend of changes in the existing land uses
- market demand for change of land use in the area
- compatibility with adjoining land uses
- consultation with the stakeholders

Source: LG & CD/GoPb. (2009).

As a policy matter, the permission for temporary commercialization of a building would be phased out within three years. Furthermore, no TMA/CDG would entertain any application for temporary commercialization presumably once the said Rules are in vogue. Category C buildings would be required to pay the fee for temporary commercialization starting from six percent till 31<sup>st</sup> December, 2009, nine percent from 1<sup>st</sup> January 2010 to 31<sup>st</sup> December 2010 and twelve percent from 1<sup>st</sup> January 2011 to 31<sup>st</sup> December 2011. On the other hand, category D buildings would be required to pay the outstanding dues within the prescribed time, failure to which would result in cancellation of the permission for temporary commercialization. However, on payment of outstanding dues, Category D buildings may continue to operate till 31<sup>st</sup> December 2011 after paying the fee at the rate as prescribed in case of Category C buildings.

## 2.4 Possible repercussions of fee for land use conversion

Under these Rules conversion of various land uses to commercial activities has again been

allowed. Contrary to previous commercialization policies conversion fee has also been suggested not only from any use to commercial (at a rate of twenty percent of the value of commercial land in that area) but also:

- from a land use to educational or healthcare institutional use (at the rate of ten percent of the value of commercial land in that area),
- from peri-urban or intercity service area to industrial (five percent) or residential (at the rate of one percent), and
- from industrial to residential use (five percent).

A possible repercussion of charging fee in case of conversion from a use to residential may result in price hike of residential plots in private housing schemes and take them further away from the affordability of low income people. In addition, the concerned TMA/CDG may also charge a 'betterment fee' to be determined on the basis of type of commercial activity and covered area of proposed commercial building. This will perhaps be used for upgrading the infrastructure and mitigating possible environmental impacts due to increased commercial activities, which have never been practiced effectively.

### **2.5 Land uses within industrial areas**

These Rules suggest that in the approved industrial areas, the uses shall be allowed in accordance with the approved scheme. However in the established built-up industrial area/corridors, only cottage and light industries are permitted. Medium industries and necessary residential, commercial and education facilities for labourers may also be permissible. Provision of primary health facility which is considered the most important for industrial workers has been omitted, perhaps mistakenly. But it is good that storing, manufacturing and packing of explosives and other dangerous materials as well as casting of heaving metals etc. are not permitted. In the case of industrial corridors with large sized plots, all types of light, medium and heavy industries as well as ancillary uses are permitted.

### **2.6 Regulating land uses within the peri-urban areas**

The subject Rules introduce a new land use class as peri-urban area and define the same as "an area that spans the landscape between contiguous urban development and rural countryside with low population density and is predominantly being use for

agricultural activity and is likely to be urbanized in the next twenty years" (LG&CD/GoPb, 2009;s2). It has been suggested in these rules that the permitted and permissible uses in such areas should be decided in accordance with an approved peri-urban structure plan of the respective TMA/CDG. However, it will be very important to determine the basis of permitting certain land uses at particular locations within peri-urban areas. The reason is that in most of the cities such areas are being rapidly converted to mix land uses owing to weak development control with no vision of how those will be integrated with the existing urban framework and trunk infrastructure/utility services.

### **2.7 Protecting agricultural areas and defining city limits**

Agricultural area has been defined under these Rules as "the land immediately outside the peri-urban area which is predominantly used for the cultivation of crops and includes cropland, pastureland, orchards, nurseries and dairy farms" (LG&CD/GoPb, 2009, p.33). Most of the permitted and permissible uses in agriculture areas are rural in character and quite compatible with agricultural land use. But it is also a fact that the span of peri-urban areas in the cities of Punjab is short and ultimately the agricultural areas would be converted to urban land uses. These rules do not indicate any of such consideration or policy on protecting agricultural areas or putting any restriction on urban limits.

### **2.8 Restricting land uses within notified areas**

The notified area is "an area in which special restrictions regarding its development or redevelopment have been imposed under any law for the time being in force" (LG&CD/GoPb, 2009, p.34). Such areas have been further subdivided into five categories as: historically significant, environmentally sensitive, public sector institutional, other restricted and intercity service area.

Permitted and permissible uses in historically significant, environmentally sensitive and other restricted areas have been mainly left up to the conditions suggested in any special or general law or any notification regarding such areas. The uses permitted in the institutional area are also suggested to be determined on the basis of any special or general law, but no reference to such special or general laws has been given. A list of ten uses permissible in institutional areas is, however, provided which mainly includes offices, official residences, education and health institutions.

The intercity service areas located along intercity road but outside the peri-urban area have to be designated by the competent authority. Although the subject Rules permit commercial and residential uses, such areas may not be appropriate for residential purposes except hotels. Permissible uses include petrol pump/gas/service station, bus/truck terminal and allied loading unloading facilities as well as workshops which go well with such areas.

### **2.9 Preparation of land use reclassification scheme**

The Rules suggest that a TMA/CDG may prepare land use reclassification scheme for an area under its jurisdiction after the notification of land use classification map. The criteria for the identification of urban blocks have also been given which include consideration for trends in the existing land use change/market demand, compatibility with adjoining land uses, potential for up-grading the road network serving the urban block(s) and prospects for re-development. The reclassification scheme may also propose improvement of slums areas, public building facades, transportation network, landscape and street furniture, and utility services. These are good suggestions and much needed for the old established urban areas of the Punjab, but doing all this would require lot of technical and financial resources. This in turn mean that only one or two Town Planners working as Tehsil Officer Planning and Coordination (TO (P&C)) may not be able to do such tasks and would need either bigger in-house team or services of planning and design consultants.

### **2.10 Preparation of redevelopment plan**

The TMAs/CDGs are also required to prepare redevelopment plan within one year after the notification of land use reclassification scheme using the data already collected for this purpose. It is envisaged that the redevelopment plan would mainly involve renewal, reconstruction or up-gradation of infrastructure (transportation and utility services) and buildings as well as landscaping in an area (LG&CD/GoPb, 2009). In addition to above activities, the Rules suggest that redevelopment plan should undertake environmental impact assessment (EIA) or initial environmental examination (IEE), of the project area. The redevelopment plan should also take account of financial assessment plan/cost estimates, land consolidation plan, proposal for land readjustment or land pooling, implementation and monitoring framework and much more. Although these activities are not supposed to be undertaken simultaneously or at once, still each of these is a

gigantic task in itself and would require lot of commitment in terms of time and resources.

### **3. Views of Tehsil Officers (Planning and Coordination)**

This section presents the views of the TO (P&C) concerning the possible constraints in implementing these Rules.

#### **3.1 Lack of interest by the public representatives**

About one third of the responding TO (P&C) revealed that ex-district/tehsil Nazims, and the present administrators of TMAs were not interested in implementation of these Rules mainly due to lack of understanding and awareness about the significance of these Rules. Those who know something about these Rules considered them very difficult to implement due to reasons like lack of cooperation from the general public, lack of technical and financial resources etc.

#### **3.2 Lack of technical and financial resources**

All the respondents stated that they were facing severe lack of technical and financial resources to get the assigned tasks accomplished within stipulated time-frame as suggested in these Rules. The Local Government and Community Development Department's record revealed that only one post of TO (P&C) exist in each Tehsil Municipal Administration. Every TO (P&C) is normally provided with a draftsman and 1 to 2 building inspectors who are thoroughly engaged in usual business of building control. Practically speaking, most of the TMAs may not be able to provide necessary technical and financial resources to them for accomplishing the tasks laid down in these Rules. That is why most of them are looking towards provincial government and the Urban Unit to provide the required assistance. Only two of responding TO (P&C) could manage to hire consultants for preparing mere land use classification map. It would be useful to review their experience and quality of work since given the lack of qualified town planning consultants as well.

#### **3.3 Impracticable policy of phasing out temporary commercialization**

As pointed out earlier, temporary conversion of buildings to commercial and ancillary uses is suggested to be phased out within three years under these Rules. That is why fee for temporary commercialization will gradually increase from six percent to twelve percent during this period. But surprisingly most of the responding TO (P&C)

suggested that the fee for commercialization of properties (both permanent and temporary) should be reduced so as to encourage the general public to go for change from any use of land/building to commercial one. Moreover, majority of them categorically stated that it is not practicable to implement the policy of phasing out temporary commercialization as most of the converted commercial use is permanent in nature and people would resist any move requiring them to seize temporary commercial activity due to difficulties associated with shifting businesses somewhere else.

#### 4. Discussion

Under these Rules a variety of plans/maps with rather different conceptual basis are required to be prepared by TMA/CDG at different levels of jurisdiction. Thus the built up areas are to be covered under land use classification maps and the expanding urban fringe areas under peri-urban structure plans. These maps and plans are to be combined along with the remaining agricultural area to form a planning map. As per these Rules, periodic review of land use classification map, peri-urban structure plan and district planning map should be carried out once after every five years. Furthermore, these Rules require preparation of re-classification scheme, redevelopment plans and list of commercial roads and buildings. However, several issues are likely to arise in preparation of these maps/plans.

The first and foremost would be the lack of capability of TMAs/CDGs to prepare these maps/plans owing to limited trained staff and resources. Even if these institutions decide to get the required maps/plans done from consultants, there would be a critical problem of shortage of qualified planning consultants required for the gigantic tasks of preparing the requisite maps/plans for 109 Tehsils and 05 CDGs of the Punjab province during the next few years. We think that there are no more than 15 such consulting firms having reasonable number of qualified Town Planners on their payroll. In this context, it is also a hard fact that most of the planning projects in Pakistan are undertaken by professionals other than qualified Town Planners. Resultantly, the Planners have to face criticism because of unrealistic policies and plans prepared by other professionals, ignoring social and economic forces playing in urban areas. Such forces may influence the way cities grow and how various urban activities operate in the complex net of city's interlocking systems.

If somehow the maps/plans suggested under these Rules are prepared, the task of enforcing these

would again be a great challenge for the TMAs/CDGs given the existing predominantly unplanned pattern of development. For instance, re-classification schemes for established areas would be about achieving compatibility in land uses, which in turn may require shifting of incompatible and nuisance creating uses like industry, temporary business and educational institutions etc. Such adjustments in land uses are most likely to be confronted with public resistance. To minimise such resistance, the Rules suggest direct public consultation during preparation of reclassification scheme. But if the circumstances call for shifting of some land uses anyway, then these Rules do not provide explicit guidance on how to deal with this kind of situation. It may be noted here that already existing light and medium manufacturing units, like packing of explosives, casting of heavy metals, soap manufacturing, electroplating and grinding of limestone, are mixed up with residential areas. Numerous studies have found severe social and environmental impacts as well as other hazards due to location of such units in the old established residential areas of Lahore (Hameed and Raemaekers, 1999; NESPAK/LDA, 2004; Haseeb, 2009).

These Rules also provide a list of concerned officials of TMAs/CDGs to be responsible for the enforcement of various tasks in the form of a Table D, which actually forms the only part containing some information regarding enforcement. However, by going through the said Table, it is difficult to comprehend who will do what and how. Furthermore, as very rightly pointed out by a seasoned TO (P&C), these Rules do not suggest any clear enforcement mechanism for implementation of various maps/plans and schemes once prepared. For instance, it is not clear "what penalty will be awarded against the violation and who will award under which mechanism".

The concerned TMA/CDG may also prepare Master Plans in addition to the above referred maps/plans but only in the light of these Rules. Here it can be argued that once the concerned TMA/CDG manages to get these maps/plans prepared and notified, the preparation of Master Plan may no longer be its prime consideration. The reason being that, those maps/plans could be treated as sufficient to manage city growth and development. On the other hand, if some TMA/CDG still intends to prepare a Master Plan, then these maps/plans could be made part of it, which in turn would facilitate the process of Master Plan preparation. In this case even the implementation of Master Plan can be expected to be

much better since the detailed planning activities (particularly the sub-classification, reclassification of land uses, redevelopment plans, and plan for peri-urban areas) required for this purpose would have already been carried out. It is also safe to predict that this would lead to better management of city growth and development as compared with the past experience which suggests that Master Plans could not be implemented to achieve this very objective due to various reasons explained elsewhere (Hameed and Nadeem, 2006; Zaidi and Mayo, 2006).

Another important issue relates to bringing clarity in case of some provisions of these Rules. For instance, the Rules do provide a definition of what Master Plan is by stating “master plan means a land use plan of an area and includes a structure plan, an outline development plan, a spatial plan, peri-urban structure plan and a metropolitan plan.” (LG&CD/GoPb, 2009;s2). But this definition encompasses various types of plans each having different conceptual basis, scope and approach to planning and managing city growth. In fact the way the term Master Plan has been defined in these Rules suggest its generic use for giving reference to all the above mentioned types of plans. In such a case the term “Development Plan” could have been used to serve the purpose. Similarly, some clarifications regarding various tasks to be undertaken under different provisions of these Rules like, distribution of commercial activity with respect to sub class/corridor (table B), “compatibility”, and criteria to decide the future use of listed roads (see sub-section 4 of section 62 of said Rules) need to be made.

Inadequate consultations with the stakeholders have lead to a general lack of comprehension and sense of custodianship of these Rules, which in fact are pre-requisites for successful implementation. This observation is based on the views expressed by a good number of Town Planners working in TMAs/CDGs of the Province during informal discussions at various occasions over the course of this research. Although, a group of 15-20 Town Planners including representatives of academia attended the consultative meetings held at the Urban Unit to discuss and obtain the feed back on the said Rules prior to their promulgation. Yet, our discussion with some of those participants revealed that their suggestions have not been given due consideration in the finalization of these Rules.

Finally, lack of coordination has been a big hurdle in timely and successful implementation of plans. This issue has been dealt with in these Rules by instituting a District Planning and Design

Committee (DP&DC) and an industrial area scrutiny committee (IASC) with representation of line departments of the provincial government and other relevant local agencies. This sort of formal arrangement will certainly help in improving coordination among concerned departments/agencies.

## 5. Concluding Remarks

The Punjab Land Use (Classification, Reclassification and Redevelopment) Rules 2009 introduce a system of classification of land uses for the first time in Pakistan and at least explicitly give a picture of what our cities really need in terms of sensible planning. And if the suggested time bound tasks are accomplished in letter and spirit, all the TMAs in the province shall, at least, have land use classification map, reclassification schemes and documentation of commercial roads, road segment and buildings. Further, the preparation of land use maps/plans under these Rules can be expected to facilitate the implementation of Master Plans which until to date have failed, in most cases, to ensure planned development on the ground. The preparation of Master Plans in future in the light of these Rules appears to be an attempt to introduce bottom-up approach to plan making where details are to be sorted out first in bits and later synthesizing these to go for comprehensive citywide picture.

Nevertheless, the preceding analysis and discussion lead us to this conclusion that a lot of barriers would need to be surpassed to ensure successful implementation of these Rules. The foremost being lack of political will, inadequate technical capacity, and insufficient human and financial resources in the TMAs/CDGs. Furthermore, consultations with the Town Planners and administrators of TMAs were inadequate due to which there is general lack of comprehension and sense of custodianship of these rules among them. Problems in classification and re-classification of land use in existing built up areas can also be anticipated to pose serious challenges. So would possibly be the outcome of the policy of phasing out temporary commercialization within a period of three years owing to the fact that established business are difficult to shift/close down due to resistance from owners and political interventions. Similarly, the lack of clarity regarding administration and enforcement of various provisions of these Rules at the TMA and CDG levels is sufficient enough to cause delays in implementation.

It is important to recognise the limitations of TMAs/CDGs in preparing maps/plans suggested in



these Rules. Interviews with concerned staff of the Urban Unit revealed that so far it has helped in preparation of land use classification maps of areas falling under the jurisdiction of 10 TMAs. It would be a gigantic task for the Urban Unit to do the same job for all the TMAs of the Province. Instead a more appropriate approach would be to launch a campaign for generating sufficient political will and mobilizing financial resources to get the requisite maps/plans prepared in a phased manner through whatever limited number of consultants available (and offering such services) in the country. As a long term strategy, a full-fledged Planning Cell comprising of a good number of Town Planners in each TMA/CDG should be established which would be needed any way to devise implementation strategy and ensure adequate enforcement of the said Rules. A series of training workshops are badly needed at this stage not only to forge clarity and understanding of these Rules amongst the concerned officials but also to motivate them for proper implementation.

As far as the issue of temporary commercialization is concerned, it appears more realistic to allow conversion of temporary commercialization to be permanent where its location permits and where most of the properties have already been converted on permanent basis. However, criteria for declaring future use (particular commercial) of any road should be reviewed and the consideration of minimum right-of-way should form the key basis for deciding about a road to be fit for future commercialization. For the new expanding areas, the possibilities of alternative patterns to decentralize commercial activities in the form of nodal or multi-nuclei development need to be given due consideration in future planning so as to promote a culture of planned commercial centres.

This research has also pointed out the need for some clarifications in 2009 Rules. In particular, the vagueness in proposed administration and enforcement framework (as given in Table D) should be addressed so as to explicitly mention 'who is responsible for what' in respect of enforcement activities. A viable mechanism for fine/penalties in case of violation of provisions of these Rules by the public should also be devised.

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